

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

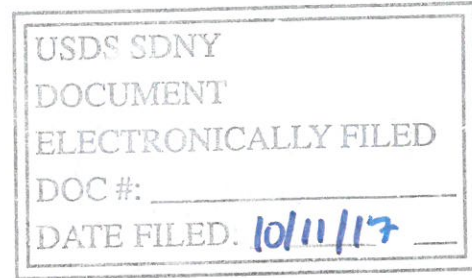
ANTHONY STALLWORTH, *individually
and on behalf of all others similarly situated,
et al.*,

Plaintiffs,

-v-

MEERA JOSHI *et al.*,

Defendants.



No. 17-cv-7119 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

On September 20, 2017, Plaintiffs moved for a temporary restraining order or preliminary injunction in this matter. (Doc. No. 3). On the same day, the Court held a conference on that motion, denied Plaintiffs' motion for a temporary restraining order for the reasons stated on the record, and set a briefing schedule for Plaintiffs' motion for a preliminary injunction. (Doc. No. 7.) Plaintiffs' memorandum of law in support of a temporary restraining order or preliminary injunction was already submitted on September 20, 2017 (Doc. No. 5), Defendants filed their response on October 6, 2017 (Doc. No. 15), and Plaintiffs' reply, if any, is due on October 13, 2017. (*See* Doc. No. 7.)

Since the September 20, 2017 conference, the parties have submitted additional premotion letters. Specifically, on September 29, 2017, Plaintiffs submitted a letter requesting a premotion conference on their contemplated motion for class certification (Doc. No. 12), and on October 4, 2017, Defendants submitted a letter opposing that request as premature and countering with a request for a premotion conference regarding Defendants' contemplated motion to dismiss (Doc.

No. 13). On October 5, 2017, Plaintiffs responded to Defendants' request for a premotion conference and agreed that the Court should set a briefing schedule for the motion. (Doc. No. 14.)

Because the Court has already held one conference in this matter during which the parties discussed Defendants' contemplated motion, and because the parties agree that the Court should set a briefing schedule, IT IS HEREBY ORDERED THAT the parties shall comply with the following briefing schedule:

- By October 24, 2017, Defendants shall file their motion to dismiss;
- By October 31, 2017, Plaintiffs shall file their response;
- By November 7, 2017, Defendants shall file their reply.

IT IS FURTHER ORDERED THAT, because Plaintiffs' request for a premotion conference on their contemplated motion for class certification is premature in light of Defendants' contemplated motion to dismiss, the request is denied without prejudice to renewal after the Court has addressed Defendants' motion to dismiss.

The Clerk of Court is respectfully directed to terminate the motions pending at docket numbers 3 and 13.

SO ORDERED.

Dated: October 10, 2017
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE